

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DEEP SOUTH ASSOCIATES LLC,

Plaintiff,

-against-

HARBORBAY CONSTRUCTION INC.,

Defendant.

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**ORDER ADOPTING REPORT  
AND RECOMMENDATION**  
17-CV-3124 (DRH)(ARL)

Presently before the Court is the Report and Recommendation of Magistrate Judge Arlene R. Lindsay, dated February 28, 2020, recommending that the Court grant plaintiff's motion for attorneys' fees in the amount of \$28,035.00. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Accordingly, the Court adopts the February 28, 2020 Report and Recommendation of Judge Lindsay as if set forth herein. Accordingly,

**IT IS HEREBY ORDERED THAT** plaintiff's motion for attorneys' fees is granted in the amount of \$28,035.00, which amount shall be added to the judgment.

**SO ORDERED.**

Dated: Central Islip, New York  
March 23, 2020

s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge